

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

JOSE GALLIMORT.

Case No. 2:19-cv-00586-JAD-CWH

Plaintiff.

ORDER

v.

11 OFFENDER MANAGEMENT DIVISION,
12 *et al.*,

Defendants.

I. DISCUSSION

17 Plaintiff, who was formerly in the custody of the Nevada Department of Corrections
18 (“NDOC”), has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983. (ECF No.
19 1-1). Plaintiff has neither paid the full filing fee for this matter nor filed an application to
20 proceed *in forma pauperis*.

21 Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must
22 complete an application to proceed *in forma pauperis*. The Court will retain Plaintiff's civil
23 rights complaint (ECF No. 1-1), but will not file it until the matter of the payment of the
24 filing fee is resolved. Plaintiff will be granted an opportunity to file an application to
25 proceed *in forma pauperis* for non-prisoners or, in the alternative, pay the full filing fee for

1 this action. If Plaintiff chooses to file an application to proceed *in forma pauperis* he must
2 file a fully complete application to proceed *in forma pauperis* by a non-prisoner.
3

4 **II. CONCLUSION**

5 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL
6 SEND Plaintiff the approved form application to proceed in forma pauperis by a non-
7 prisoner, as well as the document entitled information and instructions for filing an *in forma*
8 *pauperis* application.

9 IT IS FURTHER ORDERED that within thirty (30) days from the date of this order,
10 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis* by a
11 non-prisoner on the correct form; or (2) pay the full \$400 fee for filing a civil action (which
12 includes the \$350 filing fee and the \$50 administrative fee).

13 IT IS FURTHER ORDERED that failure to comply with this order will result in a
14 recommendation that the case be dismissed without prejudice.

15 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint
16 (ECF No. 1-1), but shall not file it at this time.

17 DATED: April 10, 2019

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19 UNITED STATES MAGISTRATE JUDGE